



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.10.2021

CORAM:

THE HONOURABLE MR. JUSTICE G.ILANGOVAN

Crl.O.P (MD) No.16487 of 2021
and Crl.M.P(MD) No.8893 of 2021

K.Pothuraja ... Petitioner/Sole Accused

-Vs-

1.The State rep. by
The Inspector of Police,
Theni Police Station,
Theni District.
(Crime No.1629 of 2015) ... 1st Respondent/Complainant

2.Packialakshmi ... 2nd Respondent/
Defacto Complainant

PRAYER: The Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure, to call for the records of the FIR in Crime No.1629 of 2015 on the file of the 1st respondent and quash the same.

For Petitioner : Mr.A.Kesavan
For Respondents : Mr.RMS.Sethuraman for R1
Additional Public Prosecutor

ORDER

This petition is filed seeking quashment of Crime No.1629 of 2015 on the file of the respondent, which has been registered for the offences punishable under Sections 279, 337 & 304(A) against the petitioner.

2.When the matter is taken up for hearing, the learned Additional Public Prosecutor submitted that the investigation has been completed and final report was also made ready in the on 13.01.2016 itself, but it was not presented before the concerned Court.

3.This Court is of the view that since even after a lapse of 5 ½ years, the final report has not been filed before the Concerned Court, it is barred by limitation under Section 468 of Cr.P.C as the final report ought to have been filed within three years from the date of offence. Therefore, this Court is inclined to allow this petition.



4.This criminal original petition is allowed and the FIR in Crime No.1629 of 2015 on the file of the respondent police is hereby quashed. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (AE)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

TM

Note:In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate / litigant concerned.

To

1.The Inspector of Police,
Theni Police Station,
Theni District.

2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.A.KESAVAN, Advocate (SR-33225[F] dated 29/10/2021)

CRL OP (MD) No.16487 of 2021

27.10.2021

TP(CO)

GC(01.12.2021) 2P 4C